

Decision 03-02-005 February 13, 2003

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Pacific Gas and Electric Company  
to Modify Departing Customer Procedures.

Application 01-01-049  
(Filed January 30, 2001)

Application of San Diego Gas & Electric  
Company (U 902-E) Proposing Lump-Sum  
Payment and Periodic Payment Options for  
Departing Load Customers.

Application 01-11-003  
(Filed November 1, 2001)

Application of Southern California Edison  
Company (U 338-E) Proposing Lump-Sum  
Payment and Periodic Payment Options for  
Departing Load Customers.

Application 01-12-046  
(Filed December 31, 2001)

**ORDER DISMISSING APPLICATIONS**

Pursuant to Ordering Paragraph 10 of Decision (D.) 97-06-060, Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), and Southern California Edison Company (Edison) filed their applications for approval of post-freeze periodic and lump sum payment options for departing load customers. A departing load customer is a retail electric customer which, outside of changes otherwise occurring in the ordinary course of its business: (1) discontinues or reduces its purchases of electricity delivery services from its serving utility, (2) purchases or consumes electricity delivered by sources other than its serving utility to replace such purchases; and (3) remains physically located at the same location or within its serving utility service area.

Departing load customers are required to pay applicable non-bypassable charges on a monthly basis. There are presently four non-bypassable charges: competition transition charge, repayment of the rate reduction bond, nuclear decommissioning, and public purpose programs. D.97-06-060 only requires the filing of lump sum and periodic payment options for departing load customers' transition costs (Section 8.7.4 and Ordering Paragraph 10, D.97-06-060).

The issues presented by these three applications are being heard in our Rulemaking Docket R.02-01-011. To avoid a duplication of effort and eliminate the possibility of confusion, it is appropriate to dismiss these three applications. Should R.02-01-011 fail to resolve the issues of these applications, the parties should file new applications.

#### **Comments on Draft Decision**

The draft decision of the ALJ in this matter was mailed to the parties in accordance with Pub. Util. Code § 311(g)(1) and Rule 77.7 of the Rules of Practice and Procedure. Comments were filed by PG&E which support the dismissal.

#### **Assignment of Proceeding**

Michael R. Peevey is the Assigned Commissioner and Robert Barnett is the assigned Administrative Law Judge in this proceeding.

**IT IS ORDERED** that Application (A.) 01-01-049, A.01-11-003, and A.01-12-046 are dismissed without prejudice.

This order is effective today.

Dated February 13, 2003, at San Francisco, California.

MICHAEL R. PEEVEY  
President  
CARL W. WOOD  
LORETTA M. LYNCH  
GEOFFREY F. BROWN  
SUSAN P. KENNEDY  
Commissioners

